

JUL 14 2005 3:37PM

513 241 6234

RECEIVED  
CENTRAL FAX CENTER

NO. 1396 P. 1

JUL 14 2005

BRUCE TITTEL  
DONALD F. FREI  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, Ph.D.  
KRISTI L. DAVIDSON

**WOOD, HERRON & EVANS, L.L.P.**

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202-2917  
Telephone: 513-241-2324  
Facsimile: 513-241-6234  
EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD

KATHRYN E. SMITH  
P. ANDREW BLATT, Ph.D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, Ph.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
STEVEN W. BENINTENDI, Ph.D.  
RANDALL S. JACKSON, JR.

OF COUNSEL  
JOHN D. POFFENBERGER  
DAVID J. JOSEPHIC  
THOMAS W. FLYNN  
J. DWIGHT POFFENBERGER, JR.  
BRADLEY D. BECK

**FACSIMILE COVER SHEET**

If transmission is interrupted or of poor  
quality, please notify us immediately by  
calling 513 \ 241-2324.  
Ask for sender's secretary.

TO: The Honorable Commissioner  
Attention: Sing P. Chan  
Art Unit 3721

FROM: David H. Brinkman

Fax No.: (703) 872-9306

Phone: (513) 241-2324

Date: July 14, 2005

Fax: (513) 421-7269

Pages (including cover page): 27

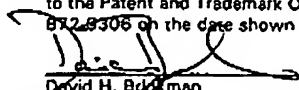
Re: U.S. Serial No. 10/700,142  
PALLET LABELER SYSTEM  
Attorney Docket No. JENK-02A

**ATTACHMENTS/COMMENTS: OFFICIAL**

Please deliver to Sing P. Chan  
Amendment Transmittal (3 pages)  
Amendment (17 pages)  
Terminal Disclaimer (3 pages) (in duplicate)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted  
to the Patent and Trademark Office centralized facsimile number (703)  
872-9306 on the date shown below.

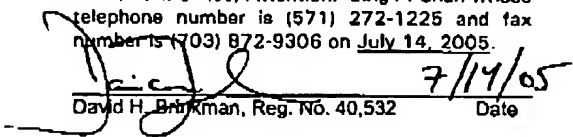
  
David H. Brinkman  
Date

July 14, 2005

Date

**Certificate of Facsimile**

I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Sing P. Chan whose telephone number is (571) 272-1225 and fax number is (703) 872-9306 on July 14, 2005.

  
David H. Brinkman, Reg. No. 40,5327/14/05  
Date**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Gary E. Jenkins et al.  
Serial No.: 10/700,142  
Filed: November 3, 2003  
Confirmation No.: 3727  
Group Art Unit: 3721  
Examiner: Chan, Sing P.  
Title: **PALLET LABELER SYSTEM**  
Atty Docket: JENK-02A

Cincinnati, Ohio 45202

July 14, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.
2.   X   Small Entity status is claimed.  
       Other than a Small Entity.
3. The fee has been calculated as shown below:

Page 1 of 3

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	26	MINUS	26	= 0	x \$25	\$0	x \$50	\$0
INDEP.	4	MINUS	4	= 0	x \$100	\$0	x \$200	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$180	\$0	+ \$360	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X  No additional fee for claims is required.

4. Attached is a check in the sum of \$\_\_\_\_\_.

\_\_\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

JUL 14 2005 3:37PM

513 241 6234

NO. 1396 P. 4

Extension (months)	Fee for other than small entity	Fee for small entity
___ one month	\$ 120.00	\$ 60.00
___ two months	\$ 450.00	\$225.00
___ three months	\$1,020.00	\$510.00
___ four months	\$1,590.00	\$795.00

\_\_\_ Attached is a check in the amount of \$\_\_\_ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

\_\_\_ An extension for \_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_.

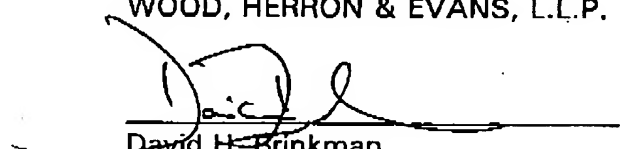
OR

(b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



David H. Brinkman

Reg. No. 40,532

2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202  
(513) 241-2324 - Voice  
(513) 421-7269 - Facsimile

JUL 14 2005 3:37PM

513 241 6234

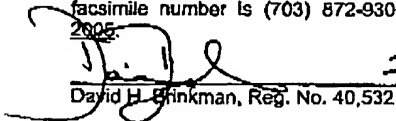
NO. 1396 P. 5

RECEIVED  
CENTRAL FAX CENTER

JUL 14 2005

**Certificate of Facsimile**

I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Sing P. Chan whose telephone number is (571) 272-1225 and centralized facsimile number is (703) 872-9306 on July 14, 2005.

  
David H. Brinkman, Reg. No. 40,5327/14/05  
Date

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Gary E. Jenkins et al.  
Serial No.: 10/700,142  
Filed: November 3, 2003  
Confirmation No.: 3727  
Group Art Unit: 3721  
Examiner: Chan, Sing P.  
Title: **PALLET LABELER SYSTEM**  
Atty. Docket: JENK-02A

Cincinnati, Ohio 45202

July 14, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action mailed on April 14, 2005, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.